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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------|-------------|----------------------|---------------------|------------------|
| 10/657,745 | 09/08/2003 | Paul Beltran | BELTRAN01 | 1136 |
| 34399 | 7590 | 12/29/2005 | EXAMINER | |
| GARLICK HARRISON & MARKISON LLP | | | WOOD, KIMBERLY T | |
| P.O. BOX 160727 | | | | |
| AUSTIN, TX 78716-0727 | | | ART UNIT | PAPER NUMBER |

3632

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO/ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|--------------------------------|-------------|---|---------------------|

10/657745

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| EXAMINER |
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| ART UNIT | PAPER |
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20051221

DATE MAILED:

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Commissioner for Patents

see non-responsive attached.

Kimberly T. Wood
Primary Examiner
Art Unit: 3632

This is an office action for serial number 10/657,745.

Response to Amendment


The reply filed on October 14, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the applicant did not specifically elect a species from the grouping provided by the examiner within the office action mailed on September 14, 2005 as required by 37 CFR 1.146. In the first action on an application containing a generic claim to a generic invention (genus) and claims to more than one patentably distinct species embraced thereby, **the examiner may require the applicant in the reply to that action to elect a species of his or her invention to which his or her claim will be restricted if no claim to the genus is found to be allowable.** However, if such application contains claims directed to more than a reasonable number of species, **the examiner may require restriction of the claims to not more than a reasonable number of species before taking further action in the application.** See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly T. Wood whose telephone number is 571-272-6826. The examiner can normally be reached on Monday-Thursday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kimberly T. Wood
Primary Examiner
Art Unit 3632

December 21, 2005